

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:13-CR-135
	)	COLLIER / GUYTON
WILLARD J. HENDRY,	)	
	)	
Defendant.	)	

**ORDER**

United States Magistrate Judge H. Bruce Guyton filed a Report and Recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to counts One (1) and Three (3) of the Indictment; (2) accept Defendant's plea of guilty to counts One (1) and Three (3) of the Indictment; (3) adjudicate Defendant guilty of the charges set forth in counts One (1) and Three (3) of the Indictment; (4) defer a decision on whether to accept the plea agreement until Sentencing; and (5) find Defendant shall remain in custody until sentencing in this matter (Court File No. 21). Neither party filed a timely objection to the Report And Recommendation. After reviewing the record, the Court agrees with the magistrate judge's Report And Recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's Report And Recommendation (Court File No. 21) pursuant to 28 U.S.C. §636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to counts One (1) and Three (3) of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to counts One (1) and Three (3) of the Indictment is **ACCEPTED**;

- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Counts One (1) and Three (3) of the Indictment;
- (4) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
- (5) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place in Knoxville, Tennessee on **Friday, April 25, 2014 at 2:00 p.m. [EASTERN]** before the Honorable Curtis L. Collier.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**